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BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of)
)
Rulemaking to Amend Parts 1, 2, 21, and 25 of)
the Commission's Rules to Redesignate the 27.5-)
29.5 GHz Frequency Band, to Reallocate the)
29.5-30.0 GHz Frequency Band, to Establish)
Rules and Policies for Local Multipoint)
Distribution Service and for Fixed Satellite)
Service)

CC Docket No. 92-297

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COMMENTS OF AIRTOUCH COMMUNICATIONS, INC.

AirTouch Communications, Inc. ("AirTouch"), hereby submits its comments regarding the Commission's proposed redesignation of spectrum in the 27.5-29.5 GHz band, and the proposed reallocation of the 29.5-30.0 GHz band (Third Notice).¹

AirTouch holds an 8.1% interest in Loral/QUALCOMM Partnership, L.P. ("LQP"). LQP has been licensed by the Commission to construct, launch and operate Globalstar, a 48-satellite non-geostationary mobile satellite system ("MSS") for provision of voice, data and facsimile service throughout the world.² Pursuant to this license, LQP is authorized to construct, at its own risk, Globalstar feeder uplinks in the 5 GHz band and feeder downlinks in the 6 GHz band. LQP's unconditional use of spectrum in the 5 and 6 GHz bands for its feeder links requires adoption of an allocation for MSS feeder links in these bands at the

¹ Third Notice of Proposed Rulemaking and Supplemental Tentative Decisions, CC Docket No. 92-297, FCC 95-287 (rel. July 28, 1995).

² Loral/QUALCOMM Partnership, L.P., 10 FCC Rcd. 2333 (Int'l. Bur. 1995).

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upcoming World Radiocommunication Conference — WRC-95.³ Through its interest in LQP, AirTouch therefore has a significant interest in the Commission's proposed redesignation of the 27.5-29.5 GHz band, and the proposed reallocation of the 29.5-30.0 GHz band. In addition, AirTouch notes that certain non-geostationary mobile satellite systems also propose to use the 5 and 6 GHz band while others propose using spectrum in other frequency ranges, including the 27.5-30.0 GHz range.

Because of the competing interests involved, AirTouch urges the Commission to defer action in the domestic 28 GHz rulemaking until after the conclusion of WRC-95. At this point in time, the Commission does not have adequate information to determine if the spectrum proposed in the Third Notice will meet the needs of domestic MSS systems. Until frequency bands are allocated for non-geostationary MSS feeder links at WRC-95, the Commission will not know the number of MSS systems that will need to operate feeder links in the 28 GHz band.

The Commission previously stated it would not unconditionally grant feeder link spectrum until it was clear that the requirements of all qualified applicants would be met.⁴ The Commission has also stated that grant of unconditional licenses would be made "at the earlier of two events: 1) domestic allocations sufficient to support all Big LEO systems are available, regardless of frequency band or 2) the completion of the upcoming World Radio Conference in

³ See Preparation for International Telecommunication Union World Radiocommunication Conferences, (WRC-95 Report), IC Docket No. 94-31, FCC 95-256 (rel. June 15, 1995), at paras. 49-51, and Appendix 1, Section C, pages 2-5.

⁴ In the Matter of Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to a Mobile Satellite Service in the 1610-1626.6/2483.5-2500 MHz Frequency Bands, 9 FCC Rcd. 5936, 5998 (1994)

the Fall of 1995 (WRC-95)”⁵ AirTouch believes the Commission should adhere to its prior pronouncements in this area.

The Commission’s proposed allocation and redesignation for the 28 GHz band at this time has a number of technical limitations and problems. For example, the plan will only accommodate two systems. Moreover, the proposed plan may require “reverse band working” in the 19.4-19.7 GHz band, which may not be technically feasible. Finally, the plan will require band sharing; again, that may not be possible. Although these issues can ultimately be resolved, significant Commission resources will be needed to consider and decide these matters. Indeed, the Commission has itself conceded that the decisions made at WRC-95 may in fact preclude implementation of the 28 GHz plan proposed in the Third Notice.⁶

In sum, deferring action on the 28 GHz plan until the conclusion of WRC-95 will significantly promote business and governmental interests, since the final WRC-95 allocation may well impact and/or resolve issues subject to comment in the instant proceeding. At the

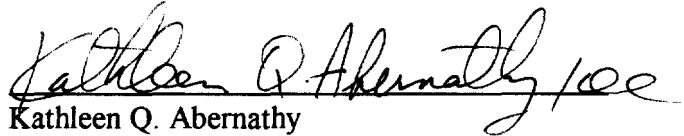
⁵ Id.

⁶ Finally, deferral of a decision in this proceeding would signal to other nations participating in WRC-95 that the United States will consider international decisions prior to adopting domestic rules affecting global services

conclusion of WRC-95, the Commission will be better able to allocate the spectrum in question in an appropriate manner which will serve the public interest.

Respectfully submitted,

AIRTOUCH COMMUNICATIONS, INC.

A handwritten signature in cursive script, appearing to read "Kathleen Q. Abernathy", followed by a horizontal line and the letters "100".

Kathleen Q. Abernathy

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September 7, 1995